

CHAPTER II

TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/US03/07527

Filed: March 11, 2003

INTERNATIONAL APPLICATION NO:

INTERNATIONAL FILING DATE

60/363,179

Filed: March 11, 2002

PRIORITY

DATE CLAIMED

DETECTION AND QUANTIFICATION OF MODIFIED PROTEINS

TITLE OF INVENTION

Steven P. GYGI and Peng JUNMIN

APPLICANT(S)

Mail Stop PCT

Atten: EO/US

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL Label No.: EV 519064531 US in an envelope addressed to: BOX PCT, ATTN: EO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 3, 2004

By: 
Helen Murray Tarbi

NOTE: To avoid abandonment of the application, the applicant shall furnish to the USPTO, not later than 20 months from the priority date: (1) a copy of the international application, unless it has been previously communicated by the International Bureau or unless it was originally filed in the USPTO; and (2) the basic national fee (see 37 C.F.R. Section 1.492(a)). The 30-month time limit may not be extended. 37 C.F.R. Section 1.495.

WARNING: Where the items are those which can be submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. Section 1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - See 37 C.F.R. Section 1.8).

NOTE: Documents and fees must be clearly identified as a submission to enter the national state under 35 USC 371 otherwise the submission will be considered as being made under 35 U.S.C. Section 111. 37 C.F.R. Section 1.494(f).

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:

[X] This express request to immediately begin national examination procedures (35 U.S.C. Section 371(f)).

[X] The U.S. National Fee (35 U.S.C. Section 371(c)(1)) and other fees (37 C.F.R. Section 1.492) as indicated below: 2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
[]*	TOTAL CLAIMS	44 - 20 =	24	x \$ 18.00 =	\$ 432.00
	INDEPENDENT CLAIMS	11 - 3 =	8	x \$ 86.00 =	\$ 688.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$290.00				\$ 290.00
ASIC FEE**	<p>[X] U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY</p> <p>Where an International preliminary examination fee as set forth in Section 1.482 has been paid on the international application to the U.S. PTO:</p> <p>[] and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 C.F.R. Section 1.492(a)(4))</p> <p>..... \$100.00</p> <p>[X] and the above requirements are not met (37 C.F.R. Section 1.492(a)(1)) \$730.00</p> <p>[] U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY</p> <p>Where no international preliminary examination fee as set forth in Section 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in Section 1.445(a)(2) to the U.S. PTO:</p> <p>[] has been paid (37 C.F.R. 1.492(a)(2)) \$ 770.00</p> <p>[] has not been paid (37 C.F.R. 1.492(a)(3)) \$1,080.00</p> <p>[] where a search report on the international application has been</p> <p>[] prepared by the European Patent Office or the Japanese Patent Office (37 C.F.R. Section 1.492(a)(5)) \$920.00</p>				
	Total of above Calculations				\$ 2,140.00
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed. (note 37 C.F.R. Sections 1.9, 1.27, 1.28)				\$..
	Processing fee of \$130.00 for furnishing the English Translation/Declaration after filing of this application.				\$ 130.00
	Total National Fee				\$ 2,270.00
	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				\$
TOTAL	Total Fees enclosed				\$ 2,270.00

- i. [X] Check in the amount of \$2,270.00 to cover the above fees is enclosed.
- ii. [] Please charge Account No. in the amount of \$

**** WARNING:** "To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: * * * (2) the basic national fee (see Section 1.492(a)). The 30-month time limit may not be extended." 37 C.F.R. Section 1.495(b).

WARNING: If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. Section 1.495(b)(2). The payment of the surcharge set forth in Section 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in Section 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of Section 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.

2. ☒ A copy of the International application as filed (35 U.S.C. Section 371(c)(2)):

NOTE: Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.

- a. ☒ is transmitted herewith.
- b. ☐ is not required, as the application was filed with the United States Receiving Office.
- c. ☐ has been transmitted
 - i. ☐ by the International Bureau.
 - ii. ☐ by applicant on _____

3. ☒ A translation of the International application into the English language (35 U.S.C. Section 371(c)(2)):

- a. ☒ is transmitted herewith.
- b. ☐ is not required as the application was filed in English.
- c. ☐ was previously transmitted by applicant on Date _____
- d. ☐ will follow.

4. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. Section 371(c)(3)):

NOTE: The Notice of January 7, 1993 points out that 37 C.F.R. Section 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under Section 1.121. In many cases, filing an amendment under Section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 36.

- a. ☐ are transmitted herewith.
- b. ☐ have been transmitted
 - i. ☐ by the International Bureau.
 - ii. ☐ by applicant on _____
- c. ☒ have not been transmitted as
 - i. ☒ applicant chose not to make amendments under PCT Article 19.
 - ii. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

5. ☒ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. Section 371(c)(3)):

- a. ☐ is transmitted herewith.
- b. ☐ is not required as the amendments were made in the English language.
- c. ☒ has not been transmitted for reasons indicated at point 5(c) above.

6. ☒ A copy of the international examination report.

- ☐ is transmitted herewith.
☒ is not required as the application was filed with the United States Receiving Office.
7. ☐ A translation of the relevant portions of the international preliminary examination report
a. ☐ is transmitted herewith.
b. ☒ is not required as the annexes are in the English language.
8. ☒ An oath or declaration of the inventor (35 U.S.C. Section 371(c)(4)) complying with 35 U.S.C. 115
a. ☐ was previously submitted by applicant on
b. ☐ is submitted herewith, and such oath or declaration
i. ☐ is attached to the application.
ii. ☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. Section 1.70.
c. ☒ will follow.

Other document(s) or information included:

9. ☒ An International Search Report
a. ☒ is transmitted herewith.
b. ☐ has been transmitted by the International Bureau.
c. ☐ is not required, as the application was searched by the United States International Searching Authority.
d. ☐ will be transmitted promptly upon request.
e. ☐ has been submitted by applicant on Date
10. ☒ An Information Disclosure Statement under 37 C.F.R. Sections 1.97 and 1.98:
a. ☒ is transmitted herewith.
Also transmitted herewith is/are:
☒ Form PTO-1449 (PTO/SB/08A and 08B).
☒ Copies of citations listed.
b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. Sections 371(c).
c. ☐ was previously submitted by applicant on Date
d. ☒ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
11. ☒ Copy of the assignment document as filed in the corresponding PCT application is transmitted herewith.

A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.

12. ☒ Additional documents:
- a. ☒ Copy of request
 - b. ☒ PCTRO/102
 - c. ☒ PCT/RO/105
 - d. ☒ PCT/RO/106
 - e. ☒ Request for a one-month extension
 - f. ☒ Response to Invitation to Correct Defects
 - g. ☒ PCT/ISA/202
 - h. ☒ PCT/ISA/220
 - i. ☒ International Publication No. WO 2003/078962
 - i. ☒ Specification, claims and drawings
 - ii. ☐ Front page only
 - j. ☒ PCT/IB/301
 - k. ☒ PCT/IB/304
 - l. ☒ PCT/IB/308
 - m. ☒ PCT/IB/332
 - n. ☒ Letter Accompanying Chapter II Demand
 - o. ☒ PCT/IPEA/402
 - p. ☒ EPO Form 1201
13. ☒ The above checked items are being transmitted
- a. ☒ before 30 months from any claimed priority date.
 - b. ☐ after 30 months.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under Section 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in

Application No. (if known): 10/506,877

Attorney Docket No.: 56954(70207)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 654383239 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/506877

on July 29, 2005
Date


Signature

Helen Murray Tarbi

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Combined Declaration and Power of Attorney

Copy of Notice

Response to Notice to File Missing *Requirements*



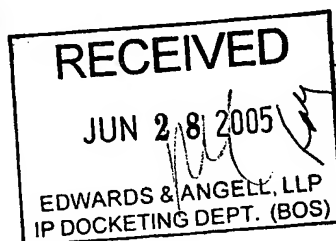
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,877	Steven P. GYGI	56954 (70207)

NOTED ON SYSTEM

21874
EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205



INTERNATIONAL APPLICATION NO.	
PCT/US03/07527	
I.A. FILING DATE	PRIORITY DATE
03/11/2003	03/11/2002

CONFIRMATION NO. 3582
371 FORMALITIES LETTER



OC000000016242406

Date Mailed: 06/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/03/2004
- Copy of the International Search Report filed on 09/03/2004
- Information Disclosure Statements filed on 09/03/2004
- Biochemical Sequence Diskette filed on 09/03/2004
- Request for Immediate Examination filed on 09/03/2004
- U.S. Basic National Fees filed on 09/03/2004
- Priority Documents filed on 09/03/2004

Missing Parts
Edwards & Angell LLP
101 Federal St. Boston, MA 02110
Docketed For 8/24/05 - 12/24/05
By Bell
Approved _____

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

✓

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,877	PCT/US03/07527	56954 (70207)

FORM PCT/DO/EO/905 (371 Formalities Notice)